

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X		
UNITED STATES OF AMERICA	:	APPLICATION FOR IMMUNITY
	:	ORDER
-v.-	:	
	:	
ISRAEL GARCIA,	:	S2 21 Cr. 412 (JSR)
a/k/a "Shorty Rock,"	:	
	:	
Defendant.	:	
-----X		

Upon the annexed application of DAMIAN WILLIAMS, United States Attorney for the Southern District of New York, for an order pursuant to Title 18, United States Code, Sections 6002 and 6003, compelling NATHANIEL MCKENZIE to testify and to provide other information at trial in *United States v. Israel Garcia*, S2 21 Cr. 412 (JSR), and upon the declaration of Assistant United States Attorney Maggie Lynaugh, submitted in support thereof; and it appearing that,

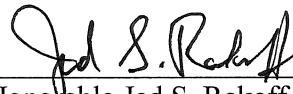
1. NATHANIEL MCKENZIE is scheduled to appear as a witness at trial in *United States v. Israel Garcia*, S2 21 Cr. 412 (JSR); and,
2. It is expected that NATHANIEL MCKENZIE will refuse to testify in *United States v. Israel Garcia*, S2 21 Cr. 412 (JSR), on the basis of his privilege against self-incrimination; and,
3. It is the judgment of the United States Attorney that the testimony and other information that NATHANIEL MCKENZIE could give in *United States v. Israel Garcia*, S2 21 Cr. 412 (JSR) may be necessary to the public interest; and,

Upon the approval of the aforesaid application by the Department of Justice, by the Assistant Attorney General, pursuant to the authority vested in him by Title 18, United States Code, Section 6003 and 28 C.F.R. 0.175; it is hereby:

ORDERED that, pursuant to Title 18, United States Code, Sections 6002 and 6003, NATHANIEL MCKENZIE give testimony and provide other information as to all matters about which he may be questioned in *United States v. Israel Garcia*, S2 21 Cr. 412 (JSR); and

IT IS FURTHER ORDERED that, pursuant to Title 18, United States Code, Sections 6002 and 6003, no testimony or other information compelled under this Order, or any information directly or indirectly derived from such testimony or other information, may be used against NATHANIEL MCKENZIE in any criminal case, except a prosecution for perjury, giving a false statement, or otherwise failing to comply with this Order.

This Order shall become effective only if after the date of this Order NATHANIEL MCKENZIE refuses to testify or provide other information on the basis of his privilege against self-incrimination.



Honorable Jed S. Rakoff
United States District Judge


Dated: New York, New York
July 14, 2023

setting forth the approval of the Department of Justice for this application is attached hereto.

WHEREFORE, the United States of America by the United States Attorney for the Southern District of New York respectfully requests that the Court issue an order requiring NATHANIEL MCKENZIE to give testimony in *United States v. Israel Garcia*, S2 21 Cr. 412 (JSR), and provide other information with regard to all matters about which he may be questioned, pursuant to the provisions of Title 18, United States Code, Sections 6002 and 6003.

Dated: New York, New York
July 12, 2023

Respectfully submitted,

A handwritten signature in black ink, appearing to be 'D. Williams', written over a horizontal line.

DAMIAN WILLIAMS
United States Attorney



U.S. Department of Justice

Criminal Division

Office of the Assistant Attorney General

Washington, D.C. 20530

Jan 27, 2023

The Honorable Damian Williams
United States Attorney
Southern District of New York
1 St. Andrews Plaza
New York, NY 10007

Attention: Maggie Lynaugh
Southern District of New York

Re: Witness Immunity Authorization
Nathaniel Lloyd McKenzie
United States v. Israel Garcia, 21 Cr. 412

Dear Mr. Williams:

Pursuant to the authority vested in me by 18 U.S.C. § 6003(b) and 28 C.F.R. § 0.175(a), I hereby approve your request for authority to apply to the United States District Court for the Southern District of New York for an order, pursuant to 18 U.S.C. §§ 6002-6003, requiring Nathaniel Lloyd McKenzie to give testimony or provide other information in the above matter and in any further proceedings resulting therefrom or ancillary thereto, provided that the witness refuses to testify or provide information on the basis of the privilege against self-incrimination.

Sincerely,

A handwritten signature in black ink, reading "Jennifer A.H. Hodge", is located below the "Sincerely," text.

Jennifer A.H. Hodge
Deputy Assistant Attorney General

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State of New York
County of New York

Maggie Lynaugh, pursuant to Title 28, United States Code, Section 1746, hereby declares under penalty of perjury:

1. I am an Assistant United States Attorney in the office of DAMIAN WILLIAMS, United States Attorney for the Southern District of New York, and as such I am responsible for the prosecution of *United States v. Israel Garcia*, S2 21 Cr. 412 (JSR).

2. This Declaration is made in support of the application by the United States Attorney for the Southern District of New York for an order pursuant to Title 18, United States Code, Sections 6002 and 6003 directing NATHANIEL MCKENZIE to give testimony and provide other information in *United States v. Israel Garcia*, S2 21 Cr. 412 (JSR).

3. On or about January 31, 2023, NATHANIEL MCKENZIE testified before a grand jury sitting in Southern District of New York in connection with *United States v. Israel Garcia*, S2 21 Cr. 412 (JSR), pursuant to an immunity order.

4. Trial in *United States v. Israel Garcia*, S2 21 Cr. 412 (JSR), commenced on July 10, 2023, in the United States District Court for the Southern District of New York and the

Government is scheduled to call NATHANIEL MCKENZIE as a witness.

5. It is expected that NATHANIEL MCKENZIE will refuse to testify at trial in *United States v. Israel Garcia*, S2 21 Cr. 412 (JSR), on the basis of his privilege against self-incrimination.

5. Upon information and belief, NATHANIEL MCKENZIE can give relevant testimony in *United States v. Israel Garcia*, S2 21 Cr. 412 (JSR), which testimony may be necessary to the protection of the public interest.

5. This application for immunity is made in good faith. Other than as may be set forth above, no prior request for the relief set forth herein has been made.

WHEREFORE, and upon the application of the United States Attorney annexed hereto, it is respectfully requested that the application be granted.

Dated: New York, New York
July 12, 2023

/s/
Maggie Lynaugh
Assistant United States Attorney